

RESOLUTION NO. 5948

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020.

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS.

Pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at the Election to be held in the City of La Habra on November 3, 2020 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description, of no more than two hundred (200) words, of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. In addition to these restrictions, pursuant to Elections Code Section 13308, any candidate statement submitted shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities. The City Clerk shall not cause to be printed, posted on an internet website, or circulated any statement that the City Clerk determines is not so limited or that includes any reference prohibited by this section. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. LANGUAGE TRANSLATION POLICY.

- A. Pursuant to the Federal Voting Rights Act, candidates statements will be translated into all languages required in the County of Orange. The County is required to translate candidate's statements into the following languages: Spanish, Chinese, Korean, and Vietnamese.

- B. The County will print and mail separate voter information guides and candidates statements in Spanish, Chinese, Korean, and Vietnamese to voters pursuant to County policies and procedures. The County will make the voter information guides and candidates statements in the required languages available at all polling places, to the City, on the County's website, and in the Election Official's office.

SECTION 3. PAYMENT.

- A. The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in (A) of Section 2 above pursuant to State and/or Federal law.
- B. The candidate shall be required to pay for the cost of printing the candidate's statement in English in the main voter pamphlet.
- C. The candidate shall be required to pay for the cost of printing the candidate's statement in a foreign language required in (A) of Section 2 above, in the main voter pamphlet.

The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including the costs incurred as a result of complying with the Federal Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. The City Clerk's estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the City Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 4. No candidate will be permitted to include additional materials in the voter information guide.

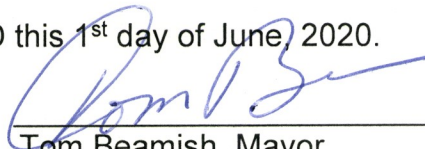
SECTION 5. The City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nominating petitions are issued.

SECTION 6. All previous resolutions establishing City Council policy on payment for candidate's statements are repealed.

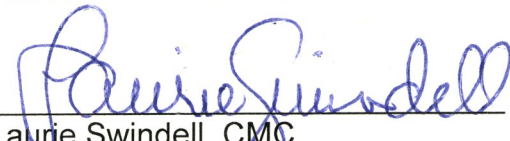
SECTION 7. This resolution shall apply only to the election to be held on November 3, 2020, and shall then be repealed.

SECTION 8. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED this 1st day of June, 2020.


Tom Beamish, Mayor

Attest:



Laurie Swindell, CMC
City Clerk

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS.
CITY OF LA HABRA }

I, Laurie Swindell, CMC, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 5948 introduced and adopted at a Regular Meeting of the City Council of the City of La Habra held on the 1st day of June, 2020, by the following roll call vote:

AYES:	COUNCILMEMBERS:	Beamish, Espinoza, Gomez, Medrano, Shaw
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE
ABSTAIN:	COUNCILMEMBERS:	NONE

Witness my hand and the official seal of the City of La Habra this 1st day of June, 2020.


Laurie Swindell, CMC
City Clerk